

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION**

**RICHARD YOUNG**

**Plaintiff,**

**v.**

**CV 10-PT-1370-M**

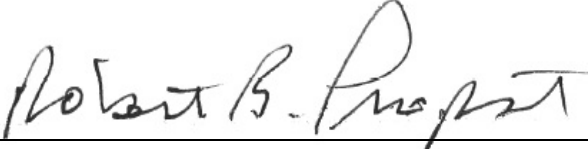
**PGT TRUCKING INC., et al**

**Defendants.**

**MEMORANDUM**

The court notes that it also considered *Berry v. Salter*, 179 F. Supp.2d 345 ( MD Ala. 2001) and other cases in deciding that in the absence of an agreement by the parties, it would transfer the case to Georgia. The parties both agreed that if the court were to decide to transfer the case, they would both prefer that it remain in Alabama. Also see *Aguacate, etc, v. Deeprock, etc.*, 566 F.2d 523, (5th Cir.1978).

**DONE and ORDERED** this the 26th day of October, 2010.

  
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**ROBERT B. PROPST**  
**SENIOR UNITED STATES DISTRICT JUDGE**